

FWP TRACKING SUMMARY
2009 LEGISLATION
Updated 03/9/09

The following are bills FWP is tracking that pertain, in most instances, to the FWP resources we are responsible for managing.

You may access information on any bill by visiting the Legislative home page at <http://leg.mt.gov> . If you have specific questions about legislation, call **Ron Aasheim, Helena, 444-4038**.

** Bills that were Tabled in Committee, Missed Transmittal date, etc.*

BILL #	SPONSOR	SUMMARY AND STATUS
*HB 25	McChesney	Department of Transportation water rights for wetland projects. Missed Deadline for General Bill Transmittal 2/26/09
*HB 26	Peterson	Addresses stream access at bridges. Missed Deadline for General Bill Transmittal 2/26/09
HB 39	Cohenour	Revises water right enforcement laws. Senate Hearing 3/6/09
HB 40	Cohenour	Revises water right permit and change in appropriation right process. Senate Hearing 3/6/09
HB 41	Cohenour	Revises water quality laws for aquifer recharge or mitigation. Senate Hearing 3/6/09
HB 42	Vincent	Requests a forest management planning program for FWP land. House Hearing 3/9/09
*HB 51	Brown	Would make state park vehicle license fee opt in versus opt out. Missed Deadline for General Bill Transmittal 2/26/09
HB 62	Hamilton	Mandatory trapper safety and education course. Senate Hearing 3/5/09
*HB 63	Pomnichowski	Authorizes revoking of commercial fur dealer license. Missed Deadline for General Bill Transmittal 2/26/09
HB 74	Van Dyk	Authorizes archery seasons for mountain lion, wolf and bear. House Sent to Enrolling 3/9/09
*HB 79	Stahl	Creates uniform provisions for state land transactions and provides that land purchases may not, to the extent that is practical, result in a net gain in land ownership by the state. Missed Deadline for General Bill Transmittal 2/26/09
HB 90	Hawk	Revises laws to consider llamas as livestock for wolf predation purposes. House Sent to Enrolling 3/9/09
HB 137	McNutt	Revises license benefits for landowners enrolled in the hunter management program, allows employees of landowners to receive the free big game combination license allocated to landowners. Deletes the requirement that the cost of the free license received by a landowner be deducted from compensation paid. Senate Hearing 3/5/09
HB 166	Menahan	Increases Department of Justice prosecutor for fish and game law violations to full-time attorney. House Hearing 2/16/09
HB 167	Sands	Appropriates money to the Department of Fish, Wildlife & Parks for the operation of Travelers' Rest State Park. House Hearing 1/13/09
HB 172	Arntzen	Provisional hunter safety certificate for persons with disabilities. Senate Scheduled for 2 nd Reading 3/9/09
*HB 182	Peterson	Prohibits state agencies from lobbying legislature. Missed Deadline for General Bill Transmittal 2/26/09
*HB 186	Stoker	Allows residents over 62 to take cow elk without a license. Missed Deadline for General Bill Transmittal 2/26/09
HB 190	Van Dyk	Revises laws related to stream access from county roads and bridges and provides criteria for fencing for livestock control purposes. Senate Hearing 3/19/09
HB 203	M. Miller	Requires FWP to notify certain landowners and the public when introducing or transplanting wolves, bears, lions, elk, deer and antelope on private or public property. Senate Hearing 3/5/09

HB 210	Phillips	Clarifies laws related to resident and nonresident conservation and fishing licenses. Allows veterans both resident and nonresident, under certain conditions, fishing and upland game bird hunting with a conservation license. House Hearing 2/12/09
*HB 217	Menahan	Authorizes FWP wardens and park rangers to enforce laws related to minors in possession on lands owned or operated by FWP and on other state lands pursuant to an agreement with the appropriate land management agency and on state waters. Missed Deadline for General Bill Transmittal 2/26/09
HB 218	Menahan	Clarifies prohibitions on the use of artificial light when hunting, clarifies when an individual commits the offense of wasting a furbearing animal, defines "pelt". Senate referred to Committee 3/2/2009
HB 221	Cohenour	Would allow minors who reach the age of 12 during the hunting season for which they obtained the license to use that license during that entire season. Senate Hearing 3/10/09
HB 222	Cohenour	Stipulates that a person whose privileges to hunt, fish or trap have been revoked is not eligible to purchase any license until all terms of the court sentence in which the privilege was revoked have been met. Senate Hearing 3/5/09
HB 223	Cohenour	Authorizes the revocation of hunting, fishing and trapping privileges if a person commits criminal mischief or trespass on property owned or administered by FWP or commits criminal trespass while hunting, fishing or trapping. Senate Hearing 3/10/09
*HB 249	Stahl	Provides that conservation easements that are granted in perpetuity are taxable class or property and that those easements granted in perpetuity are taxable even if owned by the state, local governments or other public and private entities. Tabled in House Committee 2/18/09
*HB 253	Phillips	Recognizes bison as a valued native species, gives management authority to FWP, directs FWP to work with the Dept. of Livestock to protect private property. Missed Deadline for General Bill Transmittal 2/26/09
*HB 275	Hamilton	Provides that the Department of Natural Resources may declare the need for an emergency stream flow and procedures for implementing curtailment of water use when emergency stream flow conditions are met. Missed Deadline for General Bill Transmittal 2/26/09
HB 296	M. Menahan	Allows designating tribal fish and game wardens as ex officio state wardens when a cooperative agreement exists. Senate Scheduled for 3 rd Reading 3/9/09
*HB 314	Van Dyk	Provides methods for FWP to direct the dispersal or removal of concentrations of big game animals that pose a threat to landowners and livestock or the health of wildlife, habitat or the public. Provides penalties for concentrating big game animals and creates an advisory board. Missed Deadline for General Bill Transmittal 2/26/09
HB 317	Furey	Guarantees a member of the armed forces who forfeits a special hunting license as a result of deployment to a combat zone, that same special license upon application in returning. Senate Hearing 3/12/09
*HB 330	Brown	Revises the allocation of money from nonresident temporary snowmobile permits to provide additional money for areas that are impacted by nonresident snowmobile use. Missed Deadline for General Bill Transmittal 2/26/09
HB 337	Blewett	Would allow the FWP Commission to adopt rules for the issuance of gift certificates for licenses or permits. Senate Hearing 3/12/09
*HB 346	Stoker	Authorizes residents over 62 years of age to use a general elk license to take an antlerless elk in a hunting district where a special permit is required. Missed Deadline for General Bill Transmittal 2/26/09
HB 366	McGillvray	Allows FWP to enter into an agreement with adjoining states for reciprocal fishing privileges in Montana rivers and streams within 10 miles of the boundaries of Montana if the bordering state grants similar privileges. Senate Hearing 3/12/09
HB 382	Hamilton	Creates a resident apprentice hunting certificate which allows youngsters of any age to hunt with a mentor that meets certain requirements, exempts those youngsters from the requirement to complete a hunters safety education course assuming they

		are hunting in the presence of a mentor. Senate Hearing 3/17/09
HB 383	Arntzen	Provides for free hunting licenses to youth with life threatening illness. Senate Hearing 3/10/09
*HB 427	Boniek	Repeals the prohibition on the possession of sound reduction devices on firearms in the field. Missed Deadline for General Bill Transmittal 2/26/09
HB 430	Blewett	Provides that a landowner or other person may not create a barrier consisting of barbed wire across a navigable stream. Revises the landowner recreational liability law in regard to such an action. House Hearing 3/10/09
*HB 434	Wilmer	Provides that certain disabled individuals may hunt during the general archery season with a crossbow. Missed Deadline for General Bill Transmittal 2/26/09
HB 443	Menahan	Clarifies the authority of FWP to manage certain species and revises the definition of non-game wildlife. Senate referred to Committee 3/2/2009
HB 455	Reinhart	Creates the big sky rivers act and authorizes streamside management areas and vegetated buffers. Requires certain political subdivisions to establish streamside management area permitting or certification programs. Prohibits certain activities within streamside management areas. House Hearing 2/19/09
*HB 468	Cohenour	Encourages the trustees of a school district to adopt a certified course of hunter safety and education. Missed Deadline for General Bill Transmittal 2/26/09
HB 480	Pomnichowski	Authorizes nonresident youth to hunt upland game birds and migratory birds with the purchase of a class B1 nonresident upland game bird license at a discounted price (\$35.00 vs. \$110). House Hearing 3/3/09
HB 498	French	Increases the portions of certain hunting license fees that are reserved to fund the upland game bird enhancement program. House Tabled in Committee 3/5/09
HB 499	French	Revises laws related to the upland game bird enhancement program including establishing a citizen's advisory council and authorizing development of a strategic plan. House Hearing 3/3/09
*HB 506	M. Phillips	Requires the planning and management of oil and gas operations in a manner that balances that development with fish and wildlife conservation. Requires the board of oil and gas to establish standards in consultation with the FWP Commission for minimizing adverse impacts to fish and wildlife resources affected by oil and gas operations. Missed Deadline for General Bill Transmittal 2/26/09
*HB 527	Sales	Authorizes the lottery of a free big game hunting license to a resident hunter safety instructor to encourage recruitment and retention. Missed Deadline for General Bill Transmittal 2/26/09
HB 558	McChesney	Revises laws that enhance free public access to private lands for hunting and establishes a community access partnership and account. Increases annual landowner payments from the hunting access enhancement program. House Tabled in Committee 3/5/09
HB 559	Himmelberger	Provides for reduced price hunting and fishing licenses for certain members of the armed forces who are participating in a contingency operation. The individual may apply for these reduced cost licenses in any of the 5 years after the member meets the service requirements. House Hearing 3/10/09
*HB 566	L. Jones	Revises statutes regarding environmental impact analysis and statements providing that there use is limited to a planning document only and limiting the remedy for an agencies failure to comply with the environmental review provisions of MEPA. Missed Deadline for General Bill Transmittal 2/26/09
HB 584	Noonan	Establishes a voluntary wind generation certification program committee and requires the committee to provide recommendations to FWP for a voluntary wind certification program. Senate Hearing 3/12/2009
HB 585	McClafferty	Creates a nonresident combination hunting license that may be used by adult nonresident family members who wish to return to Montana to hunt with a sponsor or family member. Revenue is earmarked for the acquisition of public hunting access to

		inaccessible public lands. This is a PL/PW request, limits the number of licenses to 500 nonresident deer combo and 500 nonresident big game combination licenses. House Hearing 3/10/09
*HB 605	Augare	Provides for the equitable distribution of revenue from the Dingle Johnson and Pitman Robertson federal funding sources between the State and Montana tribes for fish and wildlife management purposes. Missed Deadline for General Bill Transmittal 2/26/09
HB 614	MacLaren	Creates a crime if an off highway vehicle is ridden on closed public lands and gives FWP wardens enforcement authority in some instances. Referred to House Committee 2/14/09
*HJ 10	Phillips	Joint resolution of the Senate and House urging congress to support the establishment of new revenue streams to support wildlife adaptation to climate change. Missed Deadline for General Bill Transmittal 2/26/09
HJ 15	Milburn	Requests an interim study to evaluate funding sources for an incentive program to encourage and compensate private landowners who grant public access. Senate referred to Committee 3/2/2009
*HJ 21	D. Brown	Requests that the Legislative Audit Committee prioritize a performance audit of the implementation of the State Park Futures Committee II recommendations by FWP. Tabled in House Committee 2/19/09
*SB 3	Essmann	Revises procedures for Land Banking program sales and exchanges. Missed Deadline for General Bill Transmittal 2/26/09
*SB 4	Wanzenried	Creates standing water policy subcommittee of EQC. Missed Deadline for General Bill Transmittal 2/26/09
*SB 13	Steinbeisser	Requires that available federal funds for state fish hatcheries be appropriated equally among all hatcheries under FWP control. Stipulates when applying for federal funds for operation costs of the Fort Peck hatchery, the department use proceeds from the warm water game fish surcharge as matching funds. Missed Deadline for General Bill Transmittal 2/26/09
*SB 14	Steinbeisser	Requires any revenue shortfall for operation and maintenance of the Fort Peck Hatchery be supplemented with federal funds. Directs use of the warm water fish surcharge in matching funds to secure federal funds. Missed Deadline for General Bill Transmittal 2/26/09
*SB 15	Steinbeisser	Define walleye as native fish species and update scientific names. Missed Deadline for General Bill Transmittal 2/26/09
*SB 16	Steinbeisser	Includes warm water fishing stamp as part of all fishing licenses. Tabled in Senate Committee 1/29/09
*SB 17	Perry	Requires public water and sewer systems for certain subdivisions. Missed Deadline for General Bill Transmittal 2/26/09
*SB 19	Jent	Provides that a nonresident outfitters license may not be issued to a resident of any state that does not authorize the commensurate licensing of nonresident Montana outfitters in that state. Missed Deadline for General Bill Transmittal 2/26/09
SB 22	Murphy	Creates water policy committee. Senate Hearing 1/29/09
SB 31	Bales	Revises qualifications for fish, wildlife, and parks commissioners by providing that at least one member must be actively engaged in the breeding and management of domestic livestock and have an ownership interest in at least 1280 acres of land. House Hearing 3/17/2009
SB 32	Barkus	Provides that certification of a person as disabled for purpose of obtaining a Permit to Hunt from a Vehicle, in addition to certain other authorized medical care providers, may be endorsed by licensed chiropractor. House Hearing 3/12/09
*SB 59	Laible	Requires mountain lion trophy fees be used for the management of mountain lions. Missed Deadline for General Bill Transmittal 2/26/09
SB 118	Jackson	Creates an invasive species council and allows addressing of departmental duties, rule making authority, a designation of invasive species management areas, prevention of infestations. Bill not heard at Sponsor's Request 1/7/09
SB 131	Williams	Requires DNRC to designate the wild land-urban interface parcels in each county and to maintain maps of the interface. House Hearing 3/11/09
*SB 162	Barrett	Restricts FWP Commission from limiting hunting permits allocated for certain species from the number issued in 2007

		unless the harvest exceeds 30% of the total licenses issued for that district. Missed Deadline for General Bill Transmittal 2/26/09
*SB 163	Barrett	Requires that hunting and fishing or trapping rules adopted be subject to the economic impact statement requirements of the Montana Administrative Procedures Act. Missed Deadline for General Bill Transmittal 2/26/09
SB 164	Barrett	Requires prior to purchasing any land where noxious weeds are present, the development of a noxious weed management plan. Requires that any acquisition of land or water rights must include an additional 40% above the purchase price to be used for maintenance of the land or water. House Hearing 3/26/09
SB 183	Balyeat	Revises the states wolf policy, asserts states rights and challenges federal authority, voids the Montana wolf conservation and management plan and the states cooperative wolf management agreement. Establishes conditions for future management plans and agreements specific to the wolf. Establishes liability and penalties for injury or death of a human because of a wolf attack. Taken from Senate 2 nd Reading –Rereferred to committee 2/24/09
SB 184	Balyeat	Requires that an application for wild bison must be made on the same application and be subject to the same deadline as the special licenses for moose, goat and sheep. Requires that special licenses for spring and fall bear and lion be available at anytime with the stipulation the license may not be used until 5-days after the license is issued. House hearing 3/10/09
SB 185	Balyeat	Creates a nonresident college student combination big game license under certain conditions. House Hearing 3/10/09
SB 188	Balyeat	Addresses when general, antlerless and special elk permit holders may hunt. House Hearing 3/10/09
SB 202	G. Hinkle	Prohibits knowingly attracting any ungulates, bears or mountain lions with supplemental feed. House Hearing 3/12/09
SB 213	Bales	Requires FWP to implement a program to manage game animal populations in a manner that prevents the transmission of disease from game animals to domestic livestock or humans. House Hearing 3/19/2009
SB 217	Barrett	Requires FWP to reimburse livestock producers who are required to test livestock for diseases that may be transmitted by game animals during periods when game animal population objectives are not met. Senate Hearing 3/13/09
SB 228	Barrett	Revises laws related to wolf management including placing priority on the protection of humans, livestock and pets. Defines and allows removal of problem wolves for livestock depredation. Provides that following delisting, kill permits issued to landowners and public land permittees are good until filled. House Hearing 3/26/09
SB 303	Wanzenried	Requires that sections of the state water plan address various water issues within the Clark Fork, Flathead, Missouri and Yellowstone river basins. Must be completed and submitted to the 2015 legislature, creates a water user council. Senate Hearing 3/9/09
SB 305	Tutvedt	Amends the Montana subdivision and platting act. House Hearing 3/12/09
*SB 314	Laible	Defines natural and natural water bodies for purposes of the stream access law. Missed Deadline for General Bill Transmittal 2/26/09
SB 336	Balyeat	Authorizes the use of dogs to track wounded game animals. House Hearing 3/17/09
SB 337	Brenden	Prohibits FWP from relocating wild buffalo or bison as a result of the state/federal bison quarantine feasibility study. House Hearing 3/19/2009
SB 343	Jackson	Creates a Montana invasive species act, an account and defines department responsibility. Provides for the prevention and control of infestation, authorizes inspections of the exterior of vehicles and vessels for invasive species and prohibits the transport of invasive species. Senate Hearing 3/6/09
SB 344	J. Peterson	Prohibits the future ownership, breeding, and sale of wolf hybrids excepting owners prior to passage. Requires reporting, identification and tattooing of currently owned wolf hybrids. Defines a wolf hybrid. House Hearing 3/17/09
*SB 359	Windy Boy	Assesses a surcharge on convictions for fish and game violations. Requiring that the surcharge money be expended by a board of county commissioners for activities conducted by youth organizations in the county. Tabled in Senate Committee

		2/12/09
*SB 383	Laslovich	Requires full sized license plates for quadricycles and off highway vehicles. The registration decal affixed to the plate must indicate that the vehicle is registered for either off highway road use only or for both off road use and use on public highways. Plates for motorcycles and OHV's including quadricycles must be obviously visible and firmly attached to the rear of the off highway vehicle. Tabled in Senate Committee 2/20/09
SB 396	Story	Provides an exemption for a change in appropriation for water right for certain changes in points of diversion. House 1 st Reading 2/24/09
SB 402	Peterson	Identifies and clarifies the private property interests that are protected from governmental taking without just compensation and extends the requirement for the payment of just compensation to regulatory takings. Senate Hearing 3/11/09
SB 404	Bruggeman	Revises laws relating to the location of shooting preserves. Preserves would be restricted to not more than 1,920 contiguous acres and located such that they would not substantially reduce hunting areas available to the public. House Hearing 3/12/2009
*SB 421	Jackson	Clarifies adverse effects in water law providing that a net depletion of water sources does not necessarily mean the water right of the senior appropriator is adversely affected. Declares that a new appropriation of water under a certain amount can not adversely affect power generation water rights. Missed Deadline for General Bill Transmittal 2/26/09
*SB 423	Jackson	Establishes a Montana stream protection act requiring adoption of a non-regulatory best management practices by local governing bodies to apply to certain areas. Missed Deadline for General Bill Transmittal 2/26/09
SB 425	Bales	Revises laws related to the funding and operation of Fort Peck fish hatchery. Senate Scheduled for 3 rd Reading 3/6/09
SB 435	Brenden	Requiring the approval of the Board of Land Commissioners for land purchases by state agencies and providing that the land purchases may not, to the extent that is practical, result in a net gain in land ownership by the state. Senate Hearing 3/5/09
SB 436	Gallus	Creates a nonresident outfitter sponsored antelope license. Licenses available by drawing each year may not exceed 10 licenses for each administrative region or 5% of the total number of antelope licenses available in that region, whichever is less. House Hearing 3/26/09
SB 437	Perry	Prohibits the issuance of a fishpond license for a body of water supplied by an exempt appropriation of ground water. House Hearing 3/17/09
SB 470	Gallus	Revises waiting period for individuals who take a bighorn sheep in unlimited hunting districts from 7 to 3 years. House Hearing 3/26/2009
*SB 478	Brenden	Changes the duration of conservation easements from perpetuity to a term of years. Missed Deadline for General Bill Transmittal 2/26/09
SJ 14	C. Larsen	Requests an interim study on the possibility of state agencies developing and maintaining joint laboratory facilities for testing relating to wildlife, livestock, agricultural and public health. House Scheduled for 2 nd Reading 3/9/09
SJ 15	Tutvedt	Joint resolution urging US Fish and Wildlife Service to delist the gray wolf and urging Montana FWP to defend listing proposals against legal challenges. House Hearing 3/12/09
*SJ 23	Moss	A joint resolution supporting a statewide effort by public and private entities to promote activities that connect Montana youth with the outdoors and improve the health and well being of our citizens and communities. Missed Deadline for General Bill Transmittal 2/26/09